UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,288	04/27/2001	Shuvranshu Pokhariyal	10559/408001/P10345	9993

20985	7590	05/24/2006

FISH & RICHARDSON, PC
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER
OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/844,288	POKHARIYAL ET AL.
	Examiner	Art Unit
	Michael N. Opsasnick	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _20 May 2006_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-33_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-7,9-18,20-27 and 29-33_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _02 October 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail. Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 5/11/2006 has been entered. Examiner also

notes that in the claim submission 4/7/06, claims 34-42 (filed 10/24/2006) are not listed); for

examination purposes, the examiner will continue to treat claims 34-42 on the merits until further

clarification is provided by the applicant.

Claim Rejections - 35 USC 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

3.   Claims 1-7,9-18,20-27,29,30,34-42 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Balakrishnan (6,233,559) in view of Scott et al (6101473) in view of

Comerford et al (6748361) in further view of Schmid et al (6957184).

As per claim 1-4, 12-16, and 22-25, 34,35,37,38,40,41, Balakrishnan (6,233,559)

teaches:

receiving information about a recognized phrase from a speech recognition engine

(col. 4, lines 18-19 and 31-33);

selecting, based on the recognized phrase an inherent handler function and

handling information from sets of handling information associated with a different

application, based on identifying the application that is a focus of the recognized phrase

(col. 4, lines 35-40 and 47-51);

having first located the sets of handling information, when the execution of the

associated application is initiated (col. 5, lines 1-5).

loading a first grammar for a first application that is automatically selected and

loading a second different grammar for a second automatically recognized application

(col. 4 lines 40-66)

As per claims 1,12, and 22, Balakrishnan (6,233,559) does not explicitly teach

the speech engine separate from the applications themselves, however, Scott et al

(6101473) teaches the speech server to be separate from the applications themselves (Fig.

7). Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to modify the teachings of Balakrishnan with a separate speech

engine because it would advantageously allow for more than one application to access the

speech engine (Scott et al, col. 2 line 65 – col. 3 line 2).

The combination of Balakrishnan (6,233,559) in view of Scott et al (6101473) does not explicitly teach "utilizing a first API at a speech service separate for the speech engine.....first application programming interface", however, Comerford et al (6748361) teaches separate user interface files on a different platform, separate from the spoken language engines (Fig. 3, subblock 330, subblock 3200, and subblock 3420). Therefore, it would have been obvious to one of ordinary skill in the art of speech interfaces at the time the invention was made to modify the teachings of the combination of Balakrishnan (6,233,559) in view of Scott et al (6101473) to include separate handling functions for the speech because it would offer a more flexible speech interface (Comerford et al (6748361), col. 5 lines 40-47).

The combination of Balakrishnan (6,233,559) in view of Scott et al (6101473) in view of Comerford et al (6748361) does not explicitly tracking the change of the application requirements, however, Schmid et al (6957184) teaches the concept of a CFG tracking the requirements of the current applications, and dynamically loading and unloading the grammars according to the application requirement (col. 5 line 65 – col. 6 line 4; col. 6 lines 25-42). Therefore, it would have been obvious to one of ordinary skill in the art of speech applications to modify the grammar engine as taught by the combination of Balakrishnan (6,233,559) in view of Scott et al (6101473) in view of Comerford et al (6748361) with a grammar controller that recognizes application changes and adjusts the grammar requirements accordingly because it would advantageously

provide speech recognition capabilities to various multiple applications without having to

change the speech recognition engine (Schmid et al (6957184), col. 5 line 66- col. 6 line

2).

As per claim 5, Balakrishnan (6,233,559) teaches downloading the applications

and potentially the speech engine for the user (col. 3 line 55 – col. 4 line10).

As per claims 6, 9, 10, 17, 20, 21, 26, 29, and 30, Balakrishnan (6,233,559)

teaches:

detecting a change of focus from a first to a second application (col. 4, lines 45-

47);

inherently producing a second grammar based on the handling information

associated with the second application and loading the second grammar into the speech

recognizer engine (col. 5, lines 16-18 with Figure 2, elements 44, 48, or 46 and 50);

directing the operating system to provide notification in response to the focus

changing and receiving notification from an operating system (col. 4, lines 41-45 with

col. 5, lines 1-5).

As per claims 7, 18, 27, and 28, Balakrishnan (6,233,559) does not teach

generating an uncompiled grammar based on the handling information and compiling it

into a binary format. However, it would have been obvious for an artisan at the time of

invention to do this (if it had not been already done) to enable the speech recognizer to properly interpret the input speech commands.

As per claim 11, Balakrishnan (6,233,559) does not explicitly teach loading the grammar for a second engine onto the speech engine when the focus is changed from a third application to the second application. However, it would have been obvious for an artisan at the time of invention to do this (if it had not already been done) to enable the speech recognizer to properly interpret the commands for the second application.

As per claims 36,39,42, Balakrishnan (6,233,559) teaches sapi and jsapi (Fig. 3, subblocks 32,34, and 102).

4.   Claims 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Balakrishnan (6233559) in view of Scott et al (6101473) in view of Comerford et al (6748361) in view of Schmid et al (6957184) in further view of Weber (6532444).

As per claims 31-33, Balakrishnan (6233559) in view of Scott et al (6101473) in view of Comerford et al (6748361) in further view of Schmid et al (6957184) does not explicitly teach wildcard options for the recognized phrase, however, Weber (6532444) teaches context specific grammars (abstract) wherein wildcards are utilized (col. 8 line 63 – col. 9 line 7). Therefore, it would have been obvious to one of ordinary skill in the art of speech control processing to modify the context grammar of Balakrishnan (6233559) in view of Scott et al (6101473) in view of Comerford et al (6748361) in further view of

Schmid et al (6957184) with a wildcard function because it would allow for user specific

facts to be stored (Weber (6532444), col. 3 lines 30-35).

Response to Arguments

5.   Applicant's arguments filed 4/7/06 have been fully considered but they are moot in view

of the new grounds of rejection.   Examiner notes the introduction of the Schmid reference to

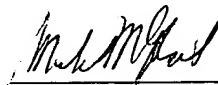address the newly amended claim language

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's
disclosure.   Please see related art listed on the PTO-892 form.

7.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Michael Opsasnick, telephone number (571)272-7623,
who is available Tuesday-Thursday, 9am-4pm.
        If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for
the organization where this application or proceeding is assigned is 571-273-8300.
        Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained from either Private PAIR or Public PAIR. Status information for unpublished
applications is available through Private PAIR only. For more information about the PAIR
system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR
system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mno
5/20/2006

Michael N. Opsasnick
Examiner
Art Unit 2626